

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1788 OF 2006

IN

WRIT PETITION NO. 7035 OF 2000

Mr. N.Y. Shaikh

... Applicant
(Ori.Respondent)

V/s

Maharashtra State Road Transport
Corporation.

... Respondent
(Ori.Petitioner)

Mr. I.R. Kulkarni for the applicant.

Mr. G.S. Hegde for the respondent.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 6TH JULY, 2007.

P.C.:

1. The respondent workman has filed the present civil application claiming that the amount of Rs.76,000/- which came to be deposited in the Labour Court should be paid over to him by considering the surety which he has already tendered for the amount of Rs.3 lacs.

2. By an earlier order of this Court, the petitioner in the writ petition was directed to deposit the back wages in the Labour Court which the petitioner has done after deducting the amount of Rs.76,000/- towards the Income

Tax payable. The respondent workman i.e. the applicant herein was permitted to withdraw the amount deposited in the Labour Court by furnishing solvent surety to the satisfaction of the Labour Court. Accordingly, the applicant has already furnished the solvent surety to the tune of Rs.3 lacs and has withdrawn an amount of Rs.2,37,000/- from the Labour Court. The applicant prays that the balance amount of Rs.76,000/- be paid over to him by applying the surety given of Rs.3 lacs and an additional surety of Rs.13,000/- which he will furnish in order to make the amount of Rs.76,000/-.

3. Civil application allowed in terms of prayer clause (a).

4. The Labour Court shall accept the surety which has been provided by the applicant towards the sum of Rs.3 lacs. The workman shall furnish additional security for an amount of Rs.13,000/- to the satisfaction of the Labour Court. The amount of Rs.76,000/- to be paid to the workman thereafter.

5. Civil application disposed of accordingly.

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